THE BOMBAY UNIVERSITY ACT, 1953.

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SCHEDULE.

BOMBAY ACT No. XXXI OF 1953.[1]

[THE BOMBAY UNIVERSITY ACT, 1953.]

[*18th May 1953*]

Amended by Bom. 2 of 1954.
" " " 30 of 1954.

An Act to amend and consolidate the law relating to the University of Bombay.

WHEREAS, consequent upon the establishment of other Universities as a measure in the decentralisation and reorganisation of University education in the State of Bombay, it is necessary to reconstitute the University of Bombay into a teaching and federal University in order to enable it to provide greater facilities for University education and whereas it is necessary and expedient for the said purposes to amend and consolidate the law relating to the said University; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and commencement.

1. (*1*) This Act may be called the Bombay University Act, 1953.

(*2*) The State Government may, by notification in the *Official Gazette*, direct that this Act shall come into force on such date as may be specified in the notification.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) "affiliated college" means a college affiliated under section 50 and includes also a college deemed to be affiliated under section 65;

(*2*) "college" means a degree college or an intermediate college;

(*3*) "constituent college" means a university college or an affiliated college made constituent under section 56;

(*4*) "degree college" means a college, which is authorized to submit its students to an examination qualifying for any degree of the University;

(*5*) "department" means a department designated as such by the Ordinances with reference to a subject or a group of subjects;

(*6*) "Director of Education" means the Director of Education Bombay State;

(*7*) "Fellow" means an *ex-officio* Fellow or an Ordinary Fellow appointed under the provisions of this Act;

(*8*) "Head Master" means the head of a High School;

(*9*) "Head of Department" means a teacher principally responsible for instruction, training or research in a department;

(*10*) "High School" means a high school which has been recognized as a full-fledged high school by the Director of Education, or by an officer authorized by him in that behalf;

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1933, Part V pp. 207-209.

(*11*) "hostel" means a unit of residence for students maintained or recognized by the University under this Act;

(*12*) "intermediate college" means a college other than a degree college;

(*13*) "prescribed" means prescribed by Statues, Ordinances or Regulations;

(*14*) "Principal" means the head of a college;

(*15*) "recognized institution" means an institution recognized under section 52 and includes also an institution deemed to have been recognized under section 65;

(*16*) "registered graduate" means a graduate registered under section 17 and includes a graduate deemed to have been registered under section 65;

(*17*) "Schedule" means a schedule appended to this Act;

(*18*) "secondary teachers" means such class of teachers imparting instruction in High Schools as may be declared to be secondary teachers by Statutes;

(*19*) "Statues", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations of the University made or deemed to have been made under this Act and for the time being in force;

(*20*) "teacher" means a professor, reader or lecturer, imparting instruction or guiding research in the University, an affiliated college or recognized institution or such other person as may be declared to be a teacher by the Statues;

(*21*) "Teacher of the University" means a teacher appointed or recognized by the University for imparting instruction on its behalf;

(*22*) "University" means the University of Bombay as reconstituted under this Act;

(*23*) "University Area" means the area comprised in Greater Bombay;

(*24*) "University College" means a college which the University may establish or maintain under this Act or a college transferred to the University and maintained by it;

(*25*) "University Department" means any collegiate or post-graduate or research institution or department maintained by the University;

(*26*) "University Professor", "University Reader" or "University Lecturer" means a professor, reader or lecturer appointed or recognized as such by the University.

CHAPTER II.

THE UNIVERSITY.

Incorporation of the University.

3. (*1*) The Chancellor, the Vice-Chancellor, the Rector, if any, the Fellows, the members of the Syndicate and the Academic Council of the University and all persons who are deemed to be or may be appointed or elected as such officers, Fellows or members under this Act, so long as they continue to be such officers, Fellows or members, are hereby constituted and declared to be one body corporate by the name of the University of Bombay, and such body corporate shall, by such name, have perpetual succession and a common seal, and by such name shall sue and be sued.

(*2*) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in, or may have been acquired by it for the purpose of the University and to contract and do all other things necessary for the purposes of this Act.

4. Subject to such conditions as may be prescribed by or under the provisions of this Act, the University shall have the following powers, namely :— Powers of the University.

(*1*) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit and to make provision for research and for the advancement and dissemination of knowledge;

(*2*) to make such provision as would enable affiliated colleges and recognized institutions to undertake specialization of studies;

(*3*) to organize university laboratories, libraries, museums and other equipment for teaching and research;

(*4*) to establish, maintain and manage departments and institutes of research or specialized studies;

(*5*) to institute professorships, readerships, lecturerships and any other posts of teachers required by the University;

(*6*) to appoint or recognize persons as professors, readers or lecturers or otherwise as teachers of the University;

(*7*) to lay down the courses of instruction for various examinations;

(*8*) to guide the teaching in colleges or recognized institutions;

(*9*) to institute degrees, diplomas and other academic distinctions;

(*10*) to hold examinations including University Entrance examination and confer degrees, diplomas and other academic distinctions on persons who—

(*a*) have pursued approved courses of study in the University or in an affiliated college or in a recognized institution unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations and have passed the examinations prescribed by the University, or

(*b*) have carried on research under conditions prescribed by the Ordinances and Regulations;

(*11*) to confer honorary degrees or other academic distinctions in the manner laid down by the Statutes;

(*12*) to grant such diplomas and certificates to, and to provide such lectures, instruction and training, for persons not being enrolled students of the University as the University may determine by the Statutes, Ordinances and Regulations;

(*13*) to admit educational institutions to the privileges of the University and to withdraw such privileges;

(*14*) to inspect colleges and recognized institutions and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them;

(*15*) to control and co-ordinate the activities of, and give financial aid to, affiliated colleges and recognized institutions;

(*16*) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(*17*) to make special provision for the spread of University education among classes and communities, which are educationally backward;

(*18*) to make special provision for disseminating knowledge and promoting arts and culture;

(*19*) to fix, to demand and to receive such fees and other charges as may be prescribed by the Ordinances;

(*20*) to establish, maintain and manage hostels;

(*21*) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;

(*22*) to supervise and control the conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(*23*) to conduct, co-ordinate, regulate and control post-gradute research work and teaching in the affiliated colleges and the institutions recognized by the University;

(*24*) to co-ordinate, regulate and control the conduct of post-intermediate teaching and instruction in affiliated colleges and to undertake the same in University Colleges;

(*25*) to institute and manage—

(*a*) Printing and Publication Department,

(*b*) University Extension Boards,

(*c*) Information Bureaux, and

(*d*) Employment Bureaux;

(*26*) to make provision—

(*a*) for extra-mural teaching and research,

(*b*) for physical and military training,

(*c*) for Students' Unions, and

(*d*) for sports and athletic clubs;

(*27*) to provide for training for competitive examinations for services under the Union or the State Governments;

(*28*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(*29*) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote arts, science and other branches of learning and culture.

Jurisdiction and admission to privileges.

5. (*1*) The territorial limits, within which the powers conferred upon the University by this Act shall be exercised, shall comprise the whole of the University area.

(*2*) No educational institution situate within the University area shall, save with the consent of the University and the sanction of the State Government, be associated in any way with, or seek admission to any privileges of any other University established by law.

(*3*) Any educational institution situate anywhere outside the University area may, with the sanction of the State Government, apply to the University for being admitted to the privileges of the University and such institution may, subject to such conditions and restrictions as the University and the State Government think fit to impose, be admitted to the privileges of the University.

(*4*) Nothing in this section shall apply to any educational institution admitted or deemed to be admitted to the privileges of the Shrimati Nathibai Damodar Thackersey Women's University constituted under the Shrimati Nathibai Damodar Thackersey Women's University Act, 1949.

Bom. LI of 1949.

University open to all irrespective of religion, race, caste, sex, place of birth or opinion.

6. (*1*) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, or other academic distinction or course of study on the grounds only of religion, race, caste, sex, place of birth, or political or other opinion :

Provided that the University may subject to the previous sanction of the State Government, maintain, affiliate or recognize any college or institution exclusively for women either for education, instruction or residence, or reserve for women or members of classes and communities which are educationally backward, places for the purposes of admission as students in any college or institution maintained or controlled by the University.

(*2*) It shall not be lawful for the University to impose on any person any test whatsoever relating to religion, race, caste, sex, place of birth, or political or other opinion in order to entitle him to be admitted as a teacher or to hold any office in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or benefaction thereof.

Inspection and inquiry.

7. (*1*) The Chancellor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its building, laboratories, libraries, museums, workshops and equipment, of any institution, college or hostel maintained or recognized by, or affiliated to, the University, of the teaching and other work conducted by the University, and of the conduct of examinations held by the University and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(*2*) The Chancellor shall communicate to the Syndicate and to the Senate his views with reference to the results of such inspection or inquiry and shall, after ascertaining the opinion of the Syndicate and the Senate thereon, advise the University on the action to be taken.

(*3*) The Syndicate shall report to the Chancellor such action, if any, as it has taken or may propose to take upon the results of the inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Chancellor may direct.

(*4*) Where the Syndicate does not within a reasonable time take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions.

CHAPTER III.

OFFICERS OF THE UNIVERSITY.

Officers of the University.

8. The following shall be the officers of the University, namely :—

(*i*) the Chancellor,

(*ii*) the Vice-Chancellor,

(*iii*) the Rector, if any,

(*iv*) the Registrar, and

(*v*) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

The Chancellor.

9. (*1*) The Governor of Bombay for the time being shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(*2*) The Chancellor shall exercise such powers as may be conferred on him by or under the provisions of this Act.

The Vice-Chancellor.

10. (*1*) The Chancellor shall appoint the Vice-Chancellor who shall hold office for three years, and shall be eligible for reappointment.

(*2*) When any temporary vacancy of the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Syndicate shall, as soon as possible, subject to the approval of the Chancellor, make such arrangements for carrying on the duties of the office of the Vice-Chancellor, as it may think fit. Until such arrangements are made, the Rector and if no Rector has been appointed or if the Rector also is not available, the Dean nominated by the Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor.

(*3*) The Vice-Chancellor shall be an honorary officer. The Senate shall place at the disposal of the Vice-Chancellor annually a sum of Rs. 5,000 by way of sumptuary allowance.

Powers of Vice-Chancellor.

11. (*1*) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at a meeting of the Senate and any convocation of the University. He shall be an *ex-officio* member and the Chairman of the Syndicate and of the Academic Council and of such other authorities of the University of which he is a member. He shall be entitled to be present, with the right to address, at any meeting of any other authority or body of the University.

(*2*) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate and the Academic Council. He may delegate this power to any other officer of the University.

(*3*) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, Ordinances and Regulations are faithfully observed and he shall have power necessary for the purpose,

(*4*) (*a*) In an emergency, which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary, and shall at the earliest opportunity thereafter report the action to such officer, authority or body, as would have in the ordinary course, dealt with the matter.

(*b*) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Syndicate through the officer, authority or body mentioned in clause (*a*) within fifteen days from the date on which such action is communicated to him.

(*5*) The Vice-Chancellor shall give effect to the decisions, or orders of the Syndicate regarding the appointment, dismissal, suspension and punishment of the persons in the service of the University or teachers of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control over the affairs of the University. He shall be responsible for the proper administration of the affairs of the University in accordance with this Act, the Statutes and Ordinances.

(*6*) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

Rector.

12. (*a*) The Senate may by resolution decide that the appointment shall or shall not be made to the office of the Rector.

(*b*) If the Senate decides under clause (*a*) that the appointment shall be made to the office of the Rector, the Rector shall be appointed by the Chancellor in consultation with the Vice-Chancellor. The Rector shall be a whole-time salaried officer and his emoluments and conditions of service shall be determined by the Statutes.

(*c*) The Rector shall be the principal inspecting officer of the University and his powers and duties shall be such as may be prescribed by the Statutes. He shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor.

Registrar.

13. The Registrar shall be a whole-time salaried officer and shall act as the Secretary of the Senate, of the Syndicate and of the Academic Council. He shall be appointed by the Syndicate in accordance with the Statutes to be made in this behalf, and his emoluments and conditions of service shall be such as may be prescribed by the Statutes. He shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinances and Regulations.

Other Officers.

14. The appointment of other officers of the University referred to in clause (*v*) of section 8 shall be made in such manner and the conditions of their service and their powers and duties shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

CHAPTER IV.

AUTHORITIES OF THE UNIVERSITY.

Authorities of University.

15. The following shall be the authorities of the University :—

(1) the Senate,

(2) the Syndicate,

(3) the Academic Council,

(4) the Faculties,

(5) the Boards of Studies,

(6) the Boards of University Teaching and

(7) such other bodies of the University as the Senate may declare by Statutes to be the authorities of the University.

(*A*) *The Senate.*

Constitution of Senate.

16. (*1*) The Senate shall consist of the following :—

I. *Ex-officio Fellows.*

(A) (*i*) The Chancellor,

(*ii*) The Vice-Chancellor,

(*iii*) The Rector, if any,

(*iv*) The ex-Vice-Chancellors of the University,

(*v*) The Heads of University Departments,

(*vi*) The Registrar,

(B) (*i*) The Chief Justice of Bombay,

(*ii*) The Minister of Education, Bombay,

(*iii*) The Deputy Minister of Education, Bombay,

(*iv*) The Vice-Chancellors of other Universities established by law in the State of Bombay,

(*v*) The Secretary to the Government of Bombay, Education Department,

(*vi*) The Director of Education,

(*vii*) The Surgeon-General with the Government of Bombay,

(*viii*) The Director of Animal Husbandry and Veterinary Science,

(*ix*) The Director of Industries,

(*x*) The Director of Technical Education,

(*xi*) The Chief Engineer or a Superintending Engineer, Public Works Department, nominated by the State Government.

(*xii*) The Chairman of the Secondary School Certificate Examination Board,

(C) (*i*) Deans of Faculties,

(*ii*) Principals of Colleges,

(*iii*) Heads of recognized institutions,

(*iv*) Members of the Academic Council who are elected to the Syndicate by the Academic Council and who are not already Fellows.

II. *Ordinary Fellows.*

(*A*) Elected as prescribed below :—

(*i*) Two persons elected by the Head Masters (from among themselves).

(*ii*) Twenty representatives of the Registered Graduates of the University to be elected faculty-wise, as follows :—

(*a*) By Registered Graduates in Arts (from among themselves)	5
(*b*) By Registered Graduates in Science (from among themselves)	5
(*c*) By Registered Graduates in Technology (from among themselves)	3
(*d*) By Registered Graduates in Medicine (from among themselves)	3
(*e*) By Registered Graduates in Commerce (from among themselves)	2
(*f*) By Registered Graduates in Law (from among themselves)	2
Total ...	20

(*iii*) Two members elected by secondary teachers of high schools excluding Head Masters (from among themselves).

(*iv*) Twenty persons elected by teachers (from among themselves) as follows :—

(*a*) Teachers in Arts	5
(*b*) Teachers in Science	5
(*c*) Teachers in Technology	3
(*d*) Teachers in Medicine	4
(*e*) Teachers in Commerce	2
(*f*) Teacher in Law	1
Total ...	20

Provided that, for the purpose of the election of Ordinary Fellows, a person entitled to stand as a candidate or to vote in more than one constituency mentioned under the entries (*i*), (*ii*), (*iii*) and (*iv*) shall, before such date as may be appointed by the Statute, elect the constituency from which he desires to stand as a candidate or to vote at the election and shall not be entitled to stand as a candidate or to vote in more than one constituency.

(*v*) One representative each of the following Associations :—

(*a*) the Municipal Corporation for Greater Bombay,

(*b*) the Indian Merchants' Chamber,

(*c*) the Bombay Chamber of Commerce,

(*d*) the Bombay Millowners' Association.

(*vi*) Two representatives elected by registered trade unions in the University Area, designated by Statutes, from among their members.

(*vii*) (*a*) Four representatives elected by the members of the Bombay Legislative Assembly from among themselves, if they are not already members of the Senate ;

(*b*) One representative elected by the members of the Bombay Legislative Council from among themselves, if he is not already a member of the Senate :

Provided that—

(*1*) every person elected under any of the entries (i), (iii), (iv) and (v) shall hold the office of a Fellow only so long as he occupies the office or comes under the designation which entitled him to be so elected ; and

(*2*) the Fellows representing the Bombay Legislative Assembly shall hold office for the duration of the Legislative Assembly electing them and the Fellow representing the Bombay Legislative Council shall hold office so long as he is the member of the said Council and thereafter up to the date on which new Fellows are elected by the next Assembly or the Council, as the case may be ;

(*B*) Fifteen persons nominated by the Chancellor ;

(*C*) Five members to be elected in the manner specified below from amongst themselves by donors each donating money or other property of the value of not less than one lakh of rupees—

(*a*) to, or for the purposes of, the University ; or

(*b*) to, or for the purposes of, an affiliated college or a recognized institution :—

(*i*) if the donor is an individual, for the purpose of voting, the name of each such donor shall be enrolled on the register maintained by the University ;

(*ii*) if the donor is an undivided Hindu family, trust, firm, company or body corporate, for the purpose of voting, the name of the representative nominated from time to time by each such undivided Hindu family, trust, firm, company or body corporate shall be enrolled on the register maintained by the University ;

(*iii*) where sub-clause (iv) does not apply, the persons whose names are enrolled on the register under sub-clauses (i) and (ii) shall elect five members to the Senate ;

(*iv*) if the number of names enrolled under sub-clauses (i) and (ii) is five or less than five, each person whose name is so enrolled shall be deemed to have been elected :

Provided that the right of electing members on the Senate shall not extend beyond the period of twenty years from the date of the acceptance of such donation by the college, institution or Syndicate, as the case may be.

Explanation I.—In paragraph (C), the reference to donors each donating money or other property of the value of not less than one lakh of rupees shall include donors each of whom has donated money or other property of the value of not less than one lakh of rupees, to, or for the purposes of, the college or institution prior to the date on which such college or institution was deemed to be affiliated or recognized and admitted to the privileges of the University under section 65 or affiliated to or recognized by the University under section 50 or 52, as the case may be.

Explanation II.—For the purposes of paragraph (C), the value of the property means, in the case of property donated whether prior to or after the date of the coming into force of this Act, the market value of the property at the date of acceptance. The decision as to the market value shall rest with the Syndicate and shall be final.

(2) If, in the case of any election, the question is raised whether any person is or is not a principal or a teacher of the University or headmaster or donor, the question shall be decided by the Vice-Chancellor.

Registered graduates.

17. (1) Subject to the provisions of sub-section (2), the following persons shall be entitled to have their names entered in the register of registered graduates or to be registered graduates, namely :—

(*a*) persons who are the graduates of the University ;

(*b*) persons who are the graduates of the University of Bombay constituted under the Indian Universities Act, 1904, or the Bombay University Act, 1928 ;

VIII of 1904 Bom. IV of 1928.

(*c*) persons who being graduates of any other University are recognized as registered graduates in accordance with the statutes.

(2) A person—

(*a*) who is of unsound mind and stands so declared by a competent court,

(*b*) who is an undischarged insolvent,

(*c*) who is convicted by a Court of an offence punishable with transportation for life or imprisonment for more than six months and such offence involves moral turpitude, or

(*d*) who is a registered graduate of any other university established by law in the State of Bombay,

shall be disqualified to have his name entered in the register of graduates or to be a registered graduate :

Provided that the disqualification in clause (*d*) shall not apply to a person referred to in clause (*b*) of sub-section (1) if within [1][eight months] from the commencement of this Act such person elects to be a registered graduate of the University only and intimates to the Registrar that he has so made his election. Upon such intimation such person shall cease to be a registered graduate of any other University established by law in the State of Bombay.

(3) Every person who intends to be a registered graduate shall make an application to the Registrar in such form and on payment of such fee as may be prescribed by Statutes. After making such inquiry as he thinks fit, the Vice-Chancellor shall decide whether a person is entitled to be or not to be a registered graduate.

(4) If any question arises whether a person is entitled to have his name entered in the register of graduates or to be a registered graduate or is disqualified to be a registered graduate, it shall be decided by the Vice-Chancellor whose decision shall be final.

[1] These words were substituted for the words "six months", by Bom. 2 of 1954, s. 2.

Office vacated on leaving India.

18. If any person being Vice-Chancellor or Fellow shall leave India, without the intention of returning thereto, his office shall thereupon become vacant.

Vacating of office.

19. (*1*) Any Ordinary Fellow may, by a letter addressed to the Chancellor, resign his office and on the acceptance of his resignation the office shall become vacant.

(*2*) If, for a period of twelve consecutive months, any Ordinary Fellow, except a Fellow elected under paragraph (*c*) under heading "II. *Ordinary Fellows*" in section 16 has not attended a meeting of the Senate, other than a convocation, the Chancellor may declare his office to be vacant.

(*3*) Any person, who holds any office in the University by virtue of his being a Fellow, shall cease to hold such office on his ceasing to be a Fellow.

Term of office of Ordinary Fellows.

20. (*1*) The Ordinary Fellows shall, save as herein otherwise provided, hold office for five years.

(*2*) An Ordinary Fellow who has vacated his office may, subject to the provisions of this Act, be elected or nominated to be an Ordinary Fellow.

Appointment of Fellow may be cancelled.

21. (*1*) The Chancellor may, on the recommendation of the Senate supported by a majority of not less than two-thirds of the number of Fellows present at the meeting and such majority comprising not less than one-half of the total number of Fellows, cancel the appointment of an Ordinary Fellow of the University, if, in his opinion, he has been convicted by a court of law of any offence which is serious and involves moral turpitude or if he has been guilty of disgraceful conduct:

Provided that the Senate shall give to the Fellow concerned an opportunity to be heard in his defence before making such recommendation.

(*2*) As soon as such order is notified in the *Official Gazette*, such person shall cease to be a Fellow; and he shall not be eligible for re-appointment or re-election until the disqualification has been removed by the Chancellor by a notification in the *Official Gazette*.

Powers and duties of Senate.

22. (*1*) Subject to such conditions as may be provided by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely:—

(*i*) to make provision for instruction, teaching and training in such branches of learning and courses of study, as it may think fit, for research and for the advancement and dissemination of knowledge;

(*ii*) to make such provision as will enable affiliated colleges and recognized institutions to undertake specialization of studies and to organize and make provision for University laboratories, libraries, museums and other equipment for teaching and research;

(*iii*) to establish and maintain colleges, departments, hostels and institutions of research and specialized studies;

(*iv*) to institute and maintain professorships, readerships, lecturerships and any other posts of teachers required by the University;

(*v*) to institute and maintain fellowships, travelling fellowships, scholarships, studentships, exhibitions and medals;

(*vi*) to institute and confer degrees, diplomas and other academic distinctions;

(*vii*) to confer, on the recommendation of the Syndicate, honorary degrees or other academic distinctions;

(*viii*) to make, amend or repeal Statutes;

(*ix*) to consider the annual accounts and the annual financial estimates placed before it by the Syndicate and pass them with such modifications as the Senate may deem fit;

(*x*) to consider and cancel or refer back, but not amend, Ordinances and Regulations;

(*xi*) to consider the annual reports and to pass resolutions on and adopt such reports;

(*xii*) to elect office-bearers and authorities as provided in this Act and the Statutes;

(*xiii*) to make grants from the Funds of the University for the purposes of the National Cadet Corps;

(*xiv*) to make provision for the physical and military training of students;

(*xv*) to lay down scales of salaries and conditions of employment of members of the staff in constituent colleges and constituent recognized institutions, and to ensure the observance of the same through the Syndicate;

(*xvi*) to exercise such powers and perform such duties as may be conferred or imposed upon it by or under this Act;

(*xvii*) to exercise such other powers and perform such other duties as may be necessary to give effect to the provisions of this Act;

(*xviii*) to provide for training for competitive examinations for services under the Union or the State Governments.

(*2*) The powers and duties under clauses (*i*) to (*vi*) of sub-section (*1*) shall not be exercised except upon recommendations made by the Syndicate.

Meetings of the Senate.

23. (*1*) The Senate shall on a date to be fixed by the Vice-Chancellor meet once a year at a meeting to be called the annual meeting of the Senate.

(*2*) The Vice-Chancellor may whenever he thinks fit and shall upon a requisition in writing signed by not less than twenty-five members of the Senate convene a special meeting of the Senate.

(*B*) *The Syndicate.*

The Syndicate.

24. (*1*) The Syndicate shall be the executive authority of the University and shall consist of the following, namely :—

(*a*) The Vice-Chancellor,

(*b*) The Rector, if any,

(*c*) The Director of Education,

(*d*) One Dean elected by Deans of Faculties from among themselves,

(*e*) Four persons elected by the Academic Council from among its members to represent the different Faculties as prescribed by the Statutes, of whom two shall be persons who are not Deans, Principals or Heads of University Departments,

(*f*) Eight persons elected by the Senate from among the Fellows who are not principals or teachers,

(*xii*) to make provision for—

(*a*) (*i*) extra-mural teaching and research and
(*ii*) University Extension activities;

(*b*) Physical and military training;

(*c*) Students' Union;

(*d*) Sports and athletic clubs; and

(*e*) Students welfare;

(*xiii*) to manage colleges, departments, institutions of research or specialized studies, laboratories, libraries, museums and hostels maintained by the University;

(*xiv*) to recognize hostels and to provide housing accommodation for teachers of the University;

(*xv*) to arrange for and direct the inspection of affiliated colleges, recognized institutions and hostels, and to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and payment of adequate salaries, and, in case of disregard of such instructions, to recommend to the Senate modifications of the conditions of affiliation or recognition, or taking of such other steps as it deems proper in that behalf;

(*xvi*) to call for reports, returns and other information from affiliated colleges, recognized institutions or hostels;

(*xvii*) to supervise and control the admission, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;

(*xviii*) to recommend to the Senate the conferment of honorary degrees, and academic distinctions in the manner prescribed by Statutes;

(*xix*) to award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;

(*xx*) save as otherwise provided by this Act, or the Statutes, to appoint on the recommendation of a committee of selection, if any, as required by this Act or Statutes, the officers (other than the Chancellor, Vice-Chancellor and the Rector), teachers and servants of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts;

(*xxi*) to recognize a member of the staff of an affiliated college or recognized institution as a teacher of the University and withdraw such recognition;

(*xxii*) to appoint examiners, to fix their remuneration and to arrange for the conduct of, and for publishing the results of the University examinations and other tests;

(*xxiii*) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;

(*xxiv*) to make, amend and cancel Ordinances;

(*xxv*) to accept, reject or return to the Academic Council for consideration but not amend, Regulations framed by the Academic Council;

(*xxvi*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;

(*xxvii*) to delegate any of its powers to the Vice-Chancellor, the Rector, the Registrar or such other officer of the University or a Committee appointed by it as it may deem fit.

(*2*) The Syndicate shall make a report to the Senate about all acceptances or transfers of property referred to in clause (*viii*) of sub-section (*1*).

(*3*) The Syndicate shall not transfer any immovable property without the previous sanction of the Senate.

(C) The Academic Council.

The Academic Council.

26. (*1*) The Academic Council shall be the academic body of the University and shall consist of the following persons, all of whom need not be Fellows :—

(1) The Vice-Chancellor or in his absence the Rector, if any, *Ex-Officio* Chairman ;

(2) The Rector, if any ;

(3) Deans of Faculties ;

(4) Heads of University Departments ;

(5) The Chairman of each Board of Studies ;

(6) Principals of degree colleges and Heads of constituent recognized institutions.

(*2*) As soon as the Academic Council is constituted under sub-section (*1*), it shall co-opt as its additional members from among the University Professors one such Professor for each of the subjects other than those represented under items (3), (4), (5) and (6) of sub-section (*1*).

(*3*) The Academic Council shall have power to nominate as members two persons having special knowledge or experience in the subject-matter of any particular business which may come before the Council for consideration. The members so nominated shall have all the rights of the members of the Council in regard to the transaction of the business in relation to which they may be nominated.

Powers and duties of Academic Council.

27. (*1*) The Academic Council shall have the control and general regulation of, and be responsible for, the maintenance of the standard of teaching, research and examinations within the University.

(*2*) Without prejudice to the generality of the foregoing provision, and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to make Regulations in consultation with the Boards of Studies concerned laying down courses of study ;

(*ii*) to make proposals for allocating subjects to the Faculties and to assign Fellows and its own members to the Faculties ;

(*iii*) to make proposals for the establishment of departments, institutions of research and specialized studies, libraries, laboratories and museums ;

(*iv*) to make proposals for the institution of professorships, readerships lecturerships and any other posts of teachers required by the University, and for prescribing the duties and fixing the emoluments of such posts ;

(*v*) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award ;

(*vi*) to make Regulations regarding the examinations of the University and the conditions on which the students shall be admitted to such examinations ;

(*vii*) to determine and maintain the standards of examinations ;

(*viii*) to make Regulations prescribing equivalence of examinations ;

(*ix*) to make Regulations prescribing the manner of granting exemptions from approved courses of studies in the University or in affiliated colleges or recognized institutions for qualifying for degrees, diplomas and other academic distinctions ;

(*x*) generally to advise the University on all academic matters ; and

(*xi*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act.

(*3*) The Academic Council shall have the power to appoint a standing committee composed of not more than one-fifth of the total number of members of the Academic Council. The constitution, powers and functions of the said standing committee shall be determined by the Statutes.

(*D*) *The Faculties.*

The Faculties.

28. (*1*) The University shall institute the Faculties of Arts, Science, Technology, Law, Medicine, Commerce, and such other Faculties as may be constituted by the Senate by Statutes from time to time. Each Faculty shall comprise such subjects as may be prescribed by the Statutes.

(*2*) Each Faculty shall consist of—

(*a*) members of the Boards of Studies, for the subjects comprised in the Faculty ;

(*b*) Fellows and members of the Academic Council who are not already members of the Faculty or of the Boards of Studies and are assigned to that Faculty by the Academic Council.

(*3*) The powers and duties of the Faculties and the conditions governing the terms of offices of their members shall be as prescribed by the Statutes.

Deans of Faculties.

29. (*1*) There shall be a Dean of each Faculty who shall be elected by the Faculty from amongst its members. The term and conditions of the office of a Dean shall be as prescribed by the Ordinances.

(*2*) The Dean of each Faculty shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to that Faculty.

(*E*) *Boards of Studies.*

Boards of Studies

30. (*1*) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.

(*2*) Each Board shall consist of—

(*i*) the Heads of the University Departments concerned,

(*ii*) the University Professors in the said subjects,

(*iii*) the Heads of Departments in the said subjects in degree colleges and constituent recognised institutions,

(*iv*) two members to be co-opted by the Board from among teachers, who are not Heads of Departments,

(*v*) such number of members as may be prescribed by the Statutes to be co-opted by the Board from among persons, who are not teachers.

(*3*) The minimum membership of a Board of Studies shall be seven.

(*4*) The term of office of co-opted members, if any, shall be three years.

(*5*) The Chairman shall be elected by the members of the Board of Studies from among themselves.

(6) The powers and duties of the Boards of Studies shall be as prescribed by the Statutes.

(F) Boards of University Teaching.

Boards of University Teaching.

31. (1) There shall be one or more Boards of University Teaching, as may be determined by Statutes.

(2) Each Board shall consist of—

(a) the Vice-Chancellor or in his absence the Rector, if any—*Ex-officio* Chairman ;

(b) the Rector, if any ;

(c) Deans of the Faculties in the subjects for which the Board is constituted ;

(d) Heads of the University Departments in the subjects ;

(e) Principals of degree Colleges and Heads of constituent recognized institutions, provided such Principals or Heads are also Heads of Departments in the said subjects ;

(f) two persons elected by the Senate from among the Fellows ;

(g) two persons elected by the Academic Council who shall be University Professors but who are not Heads of University Departments or Principals of degree Colleges or Heads of constituent recognized institutions referred to in clauses (d) and (e) above.

Powers and duties of Boards of University Teaching.

32. (1) Subject to the provisions of sections 56 and 57, the Board shall have the powers of controlling, regulating and co-ordinating instruction, teaching and training in the post-intermediate classes and post-graduate instruction, teaching, training and research.

(2) In particular and without prejudice to the generality of the foregoing provision, the Board shall have the following powers :—

(i) to make recommendations to the Syndicate regarding the conduct of all post-graduate instruction, teaching, training and research ;

(ii) to co-ordinate and to control and regulate the post-intermediate and post-graduate instruction, teaching and training in affiliated (including constituent) colleges and recognized institutions and to make recommendations to the Syndicate for conducting such instruction, teaching and training in University colleges and institutions ;

(iii) to recommend to the Syndicate the detailed requirements regarding teachers in respective subjects for teaching on behalf of the University ;

(iv) to determine the programme indicating the nature and extent of the work that the respective teachers recognized for teaching on behalf of the University shall be called upon to perform ;

(v) to co-ordinate and regulate the facilities provided, and to make recommendations to the Syndicate regarding the expenditure to be incurred, by degree colleges and constituent recognized institutions, in connection with lectures, seminars, tutorials, libraries, laboratories and other equipment for teaching and research ;

(vi) to recommend to the Syndicate the amount of grant, if any, which shall be made to each of the degree colleges and constituent recognized institutions by the University each year ; and

(vii) to exercise such other powers and perform such other duties as may be prescribed by or under the provisions of this Act.

(G) Other University bodies.

Other University bodies.

33. (*1*) The Senate may establish a Board of Extra-Mural Studies, a Board for Students' Welfare and such other Boards or Bodies as may be prescribed by the Statutes.

(*2*) The constitution, powers and duties of the Boards and Bodies established under sub-section (*1*) shall be as prescribed by the Ordinances.

Committee of Selection for appointment of teachers of University.

34. (*1*) No person shall be appointed as a University professor, reader or lecturer except on the recommendation of a Committee of Selection constituted for the purpose.

(*2*) The members of the Committee shall be—

(*a*) the Vice-Chancellor—*ex-officio* Chairman ;

(*b*) the Rector, if any ;

(*c*) five persons having special knowledge of the subject, to be appointed as follows :—

(*i*) one, who shall be a member of the Faculty in the subject concerned, by the Academic Council,

(*ii*) four, who shall not be Fellows, members of Faculties, Teachers of the University or Teachers—two by the Academic Council and two by the Syndicate.

(*3*) The Committee shall investigate the merits of the various candidates and such other persons, if any, as the Committee may recommend as duly qualified for the vacant post but who have not applied for it and shall report to the Syndicate the names, arranged in order of merit, of persons, if any, whom it considers to be suitable for the vacant post.

(*4*) The Syndicate shall make the final selection out of the persons, if any, so recommended ;

Provided that where the Syndicate makes the appointment otherwise than in accordance with the order of merit arranged by the Committee, the Syndicate shall record its reasons for doing so ;

Provided further that if the Committee reports to the Syndicate the name of one person only and if the person so reported is not acceptable to the Syndicate, the Syndicate shall record its reasons for not accepting the name and communicate them to the Committee and may advertise the vacancy again and direct the Committee to report to the Syndicate in the manner provided in sub-section (*3*).

Committee for recognition of teachers of University.

35. (*1*) No person shall be recognized as a teacher of the University except on the recommendation of a Committee constituted for the purpose.

(*2*) the members of the Committee shall be—

(*i*) the Vice-Chancellor—*ex-officio* Chairman,

(*ii*) the Rector, if any,

(*iii*) the Head of the University Department in the subject, if any,

(*iv*) four persons having special knowledge of the subject for which the teacher is to be recognized, to be selected in the following manner, namely :—

(*a*) two by the Syndicate who shall not be the Fellows, members of the Faculty or teachers,

(*b*) two by the Academic Council, from amongst its members.

Appointment of examiners.

36. (*1*) A Committee for each Faculty shall be formed every year for the purpose of drawing up lists for appointments to University examinerships.

(*2*) The members of the Committee shall be—

(*i*) the Vice-Chancellor—*ex-officio* Chairman,

(*ii*) the Rector, if any,

(*iii*) the Dean of the Faculty,

(*iv*) two members appointed by the Syndicate,

(*v*) two members appointed by the Academic Council,

(*vi*) the Chairman of the Board of Studies in the particular subject.

(*3*) The Committee shall draw up the lists from among persons included in panels to be prepared by the Boards of Studies. The lists so drawn up shall be submitted for approval to the Academic Council and the Syndicate. The Syndicate shall make the appointments of examiners on the advice of the Academic Council :

Provided that no change in the lists shall be suggested or made by the Academic Council or the Syndicate except by passing a special resolution stating the specific grounds on which each change suggested or made is based.

(*4*) If any examiner is unable to act for any cause and a fresh appointment cannot be made in time by the Syndicate, the Vice-Chancellor shall appoint another examiner to fill the vacancy and shall report such appointment to the Syndicate.

(*5*) No member of the Syndicate or of the Committee shall be appointed as an examiner except by a special resolution of the Syndicate passed by two-thirds majority of the members present.

Committees.

37. All the authorities of the University shall have power to appoint committees. Such committees may include persons who are not members of the authority appointing the committee : Provided that the Faculties, Boards of Studies and other Boards or Bodies shall not appoint persons who are not members of the authority appointing the committee to such Committees except with the previous sanction of the Vice-Chancellor.

CHAPTER V.

Enrolment and Degrees.

Enrolment of students.

38. No student shall be enrolled as a student of the University unless he has passed—

(*i*) the Matriculation Examination held by the University ; or

(*ii*) the Secondary School Certificate Examination conducted by the Secondary School Certificate Examination Board in such subjects and with such standards of attainment as may be prescribed by the Statutes ; or

(*iii*) the Entrance Examination, if any, which may be instituted by the University with the consent of the State Government, and held in such subjects and in such manner as may be prescribed by the Statutes ; or

(*iv*) any other examination prescribed as equivalent to the examinations referred to in clauses (*i*), (*ii*) and (*iii*) and possesses such other qualification, if any, as may be prescribed by the Statutes.

Certificate required of candidate for examination.

39. Save on the recommendation of the Syndicate by special order of the Senate, and subject to any Statutes and Ordinances made in this behalf, no person shall be admitted as a candidate at any University examination other than an examination for entrance, unless he produces a certificate from an affiliated college or a recognized institution, as the case may be, to the effect that he has completed the course of instruction prescribed :

Provided that the Senate may make Statutes exempting students or a class of students from producing such a certificate.

Degrees, diplomas and other academic distinctions.

40. The Senate may institute and confer such degrees and grant such diplomas and other academic distinctions in respect of degrees and examinations as may be prescribed by the Statutes.

Honorary degrees.

41. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such a degree and where their recommendation is supported by not less than two-thirds of the Fellows present at a meeting of the Senate and is confirmed by the Chancellor, the Senate may confer on such person the honorary degree so recommended without requiring him to undergo any examination.

Removal from membership of University and withdrawal of degree or diploma.

42. (*1*) The Chancellor may, on the recommendation of the Syndicate and of the Senate supported by a majority of not less than two-thirds of the members of each body present at its meeting, such majority comprising not less than one-half of the members of each body, remove the name of any person from the register of graduates or withdraw from any person a diploma or degree or other academic distinctions if he has been convicted by a court of law of any offence which, in the opinion of the Syndicate and the Senate, is a serious offence involving moral turpitude or if he has been guilty of disgraceful conduct.

(*2*) No action under this section shall be taken unless the person concerned is given an opportunity to be heard in his defence in the manner prescribed by the Statutes.

CHAPTER VI.

FINANCE.

University Fund.

43. (*1*) The University shall establish a fund to be called the University Fund.

(*2*) The following shall form part of, or be paid into, the University Fund :—

(*a*) any contribution or grant by Government,

(*b*) the income of the University from all sources including income from fees and charges,

(*c*) trusts, bequests, donations, endowments and other grants, if any.

(*3*) The University Fund shall be kept in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934, [1][or in a co-operative bank approved by the State Government for the purpose or invested] in securities authorised by the Indian Trusts Act, 1882, at the discretion of the Syndicate.

II of 1934.

II of 1882.

(*4*) Nothing in this section shall in any way affect any obligations accepted by or imposed upon the University by any declarations of trust executed by or on behalf of the University for the administration of any trust.

Annual accounts and financial estimates.

44. (*1*) The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the State Government for audit.

(*2*) The accounts when audited shall be published by the Syndicate and a copy thereof shall, together with a copy of the audit report, be submitted to the Senate.

(*3*) The Syndicate shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.

(*4*) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting and may be passed with such modifications as the Senate may deem fit.

Annual report.

45. The annual report of the University shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at the annual meeting. The Senate shall adopt the report with modifications, if any, which it may direct the Syndicate to make therein in accordance with the resolutions passed by the Senate in that behalf.

[1] These words were substituted for the words " or invested " by Bom. 30 of 1954, s. 33.

CHAPTER VII.

STATUTES, ORDINANCES AND REGULATIONS.

Statutes.

46. Subject to the provisions of this Act, the Senate may, from time to time, make Statutes for all or any of the following matters, namely :—

(*a*) the declaration of any person to be a "teacher" under clause (*20*) of section 2 ;

(*b*) the declaration of other bodies to be the authorities of the University as provided in clause (*7*) of section 15 ;

(*c*) the manner of election of Fellows and the members of the Syndicate and the Boards of University Teaching, and the terms and conditions of their office, registration of graduates and maintenance of a register of registered graduates and the filling up of casual vacancies in the Senate, the Syndicate, the Academic Council, the Boards of Studies and the Boards of University Teaching ;

(*d*) the powers of the Vice-Chancellor ;

(*e*) the powers and duties of the Rector, if any, and the conditions of his service and of the Registrar and the officers and servants of the University ;

(*f*) the constitution, reconstitution or abolition of Faculties and the powers and duties of Faculties ;

(*g*) the procedure at a meeting of the Senate, the Syndicate, the Academic Council, the Boards of Studies, and the Boards of University Teaching and the quorum of members to be required for the transaction of business ;

(*h*) the powers, duties and functions of Boards of Studies and the allocations of Boards among the Faculties ;

(*i*) the constitution, powers and duties of the authorities of the University save as provided in this Act ;

(*j*) the institution and conferment of degrees and the granting of diplomas, and other academic distinctions in respect of degrees and examinations ;

(*k*) recognition as registered graduates of persons who are graduates of any other University ;

(*l*) the institution of pension or provident fund or both for the benefit of the officers, teachers and other servants of the University ;

(*m*) qualifications of professors, readers, lecturers and other teachers in affiliated colleges and regognised institutions ;

(*n*) all matters which, by this Act, are to be or may be prescribed by the Statutes ;

(*o*) any other matter which is necessary to give effect to the provisions of this Act.

Statutes—their framing amendment, repeal and operation.

47. (*1*) The Statutes may be made, amended or repealed by the Senate in the manner hereinafter provided.

(*2*) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate. In the case of a draft which is not prepared by the Syndicate, the Senate, before considering the same, shall obtain the opinion of the Syndicate :

Provided that if the Syndicate fails to submit its opinion within three months from the date it receives the draft, the Senate may proceed to take the draft into consideration.

(3) The Senate, if it thinks necessary, may also obtain the opinion of any other authority of the University in regard to any draft Statute which is before it for consideration.

(4) Every Statute passed by the Senate shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Senate for consideration.

(5) No Statute passed by the Senate shall be valid or shall come into force until assented to by the Chancellor.

Ordinances,—their making and scope.

48. (1) Subject to the provisions of this Act and the Statutes, the Syndicate may frame Ordinances to provide for all or any of the following matters, namely :—

(a) the admission of students to the University ;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University ;

(c) the conditions under which students shall be admitted to the courses of studies for degrees, diplomas, and other academic distinctions and to the examinations of the University and be eligible for degrees, diplomas and other academic distinctions and the form of the certificate to be produced by a candidate for examination under section 39 and the conditions on which any such certificate may be granted ;

(d) the recognition and inspection of hostels ;

(e) the conduct and discipline of students ;

(f) the number, qualifications and conditions of appointment of teachers of the University ;

(g) the fees to be charged, for courses of instruction in or on behalf of the University given by teachers of the University, for tutorial and supplementary instruction given by or on behalf of the University, upon admission into the University and for continuance therein, for admission to the examination, degrees and diplomas of the University, for the registration of graduates and for other purposes of a like nature ;

(h) the conditions of appointment and the duties of examiners ;

(i) the conduct of examinations ;

(j) the conduct of business of each Faculty and the election of the Dean of each Faculty ;

(k) the duties and powers of the Boards and Committees to be appointed by the University jointly with any other University or body ;

(l) the powers and duties of the Registrar and other officers and servants of the University ;

(m) the discipline to be enforced in regard to the graduates and undergraduates in so far as they come within the jurisdiction of the University for purposes of study and examination ;

(n) the extension of University teaching in any suitable centre within the University area by means of University extension lectures or otherwise ;

(o) the rules to be observed and enforced by affiliated colleges and recognized institutions in respect of transfer of students ;

(p) the fees (if any) to be paid for entry or retention of a name on any register ;

(*q*) the inspection of affiliated colleges and recognized institutions and the reports, returns and other information to be furnished by such colleges and recognized institutions ;

(*r*) the registers of students to be kept by affiliated colleges and recognized institutions ;

(*s*) the duties of teachers of the University ;

(*t*) the mode of execution of contracts or agreements by or on behalf of the University ; and

(*u*) generally, all matters which by this Act or by the Statutes may be provided for by the Ordinances and all matters for which provision is, in the opinion of the Syndicate, necessary for the exercise of the powers conferred, or the performance of the duties imposed, on the Syndicate by this Act or the Statutes :

Provided that the Syndicate shall not arrive at any decision in regard to matters referred to in clauses (*b*), (*c*), (*f*), (*h*), (*i*), (*n*) and (*o*) without inviting and receiving a report thereon from the Academic Council.

(*2*) All Ordinances made by the Syndicate shall, except as otherwise provided by this Act, have effect from such date as it may direct ; but every Ordinance so made shall be laid on the table of the Senate as soon as may be, and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or refer for reconsideration but not to amend any such Ordinance.

(*3*) The Vice-Chancellor shall, on the application of not less than forty members of the Senate, suspend the operation of any such Ordinance until the Senate has considered it as provided in sub-section (*2*).

Regulations—their making and scope.

49. (*1*) The Academic Council may make Regulations consistent with this Act and the Statutes and Ordinances to carry out the duties assigned to it thereunder and shall submit them to the Syndicate for approval.

(*2*) All Regulations, when approved, shall, except as otherwise provided by this Act, have effect from such date as the Academic Council may direct, but every Regulation so made shall be placed on the table of the Senate as soon as may be and shall be considered by the Senate at its next meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting to cancel or refer for reconsideration but not to amend any such Regulation.

(*3*) If the Syndicate does not approve of a Regulation, the Regulation shall, on a requisition by at least five members of the Syndicate, be referred to the Senate who shall thereupon have all the powers of the Syndicate in this connection. If the Regulation is accepted by the Senate, the provisions of sub section (*2*) shall so far as may be apply to it.

(*4*) The Vice-Chancellor shall, on the application of not less than forty members of the Senate, suspend the operation of any such Regulation until the Senate has considered it as provided in sub-section (*2*) or sub-section (*3*).

CHAPTER VIII.

AFFILIATION AND RECOGNITION.

Affiliation.

50. (*1*) A college applying for affiliation to the University shall send an application in writing to the Registrar and shall satisfy the Syndicate and the Academic Council—

(*a*) that the college is to be under the management of a regularly constituted governing body;

(*b*) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(*c*) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances, for the residence, in the college hostel or in lodgings approved by the college, of students not residing with their parents or guardians, and for the supervision and welfare of students;

(*d*) that due provision has been made or will be made for a library;

(*e*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in that branch of science in a properly equipped laboratory or museum;

(*f*) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of students;

(*g*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(*h*) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which may result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith reported to the Syndicate.

(*2*) On receipt of a letter of application under sub-section (*1*) the Syndicate shall—

(*a*) direct a local inquiry to be made by a competent person or persons authorized by the Syndicate in this behalf in respect of the matters referred to in sub-section (*1*) and such other matters as may be deemed necessary and relevant;

(*b*) make such further inquiry as may appear to it to be necessary ; and

(*c*) after consulting the Academic Council report to the Senate its opinion on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry under clauses (*a*) and (*b*).

(*3*) On receipt of the report under clause (*c*) of sub-section (*2*), the Senate shall, after such further inquiry as may appear to it to be necessary, record its opinion.

(*4*) The Registrar shall submit the application and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto to the State Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.

(*5*) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(*6*) As soon as possible after the State Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (*2*) to (*5*) and of all proceedings connected therewith.

(*7*) An application under sub-section (*1*) may be withdrawn at any time before an order is made under sub-section (*4*).

Extension of affiliation.

51. Where a college desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 50 shall, so far as may be, be followed.

Recognition of institutions of research and specialized studies.

52. (*1*) The Syndicate shall have the power, after obtaining the opinion of the Academic Council, to recognize as a recognized institution any institution of research or specialized studies other than a college.

(*2*) An institution applying for recognition under this section shall send an application in writing to the Registrar and shall give full information in the application in respect of the following matters, namely :—

(*a*) constitution and personnel of the managing body ;

(*b*) subjects and courses in regard to which recognition is sought ;

(*c*) accommodation, equipment and the number of students for whom provision has been or is proposed to be made ;

(*d*) the strength of the staff, their qualifications and salaries and the research work done by them ;

(*e*) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(*3*) Before taking the application into consideration, the Syndicate may call for any further information which it may deem necessary.

(*4*) If the Syndicate decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorized by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the Syndicate shall, after obtaining the opinion of the

Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Syndicate shall specify the subjects and the courses of instruction in respect of which the institution is recognized and make a report to that effect for information to the Academic Council and the Senate at their next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

Inspection of colleges and institutions and reports.

53. (*1*) Every affiliated college and every recognized institution shall furnish such reports, returns and other information as the Syndicate, after obtaining the opinion of the Academic Council, may require to enable it to judge the efficiency of the college or institution.

(*2*) The Syndicate shall cause such college or institution to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(*3*) The Syndicate may call upon any such college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (*1*) of section 50 or sub-section (*2*) of section 52, as the case may be.

Withdrawal of affiliation.

54. (*1*) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified, if the college has failed to carry out any of the provisions of sub-section (*1*) of section 50 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(*2*) A motion for the withdrawal or modification of such rights shall be moved in the Syndicate. A member of the Syndicate who intends to move that the rights conferred on any college by affiliation be withdrawn in whole or in part or modified, shall give notice of his motion and shall state in writing the grounds on which the motion is made.

(*3*) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the Principal of the college concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(*4*) On receipt of the representation or on expiration of the period referred to in sub-section (*3*), the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorzied by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary, and after obtaining the opinion of the Academic Council, shall make a report to the Senate.

(*5*) On receipt of the report under sub-section (*4*), the Senate shall, after such further inquiry (if any) as may appear to it to be necessary, shall record its opinion on the matter :

Provided that no resolution of the Senate recommending the withdrawal of the affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and the Senate relating thereto, to the State Government, which, after such further inquiry as may appear to it to be necessary, shall make such order as it thinks fit.

(7) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the ground for such withdrawal or modification shall be stated in the order.

Withdrawal or suspension of recognition of institution.

55. (1) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interest of education.

(2) A motion for such withdrawal or suspension shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Syndicate :

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by the Syndicate in this behalf, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall decide whether the recognition should be withdrawn or suspended, as the case may be :

Provided that the recognition shall not be withdrawn or suspended unless a resolution of the Syndicate to that effect is supported by not less than one-half of the members of the Syndicate.

CHAPTER IX.

Organisation of Post-Graduate and Post-Intermediate Teaching.

Constituent colleges and institutions.

56. (1) All colleges within the University Area which are admitted to the privileges of the University and all colleges within the said area which may hereafter be affiliated to the University shall be the constituent colleges of the University.

(2) All institutions within the University Area recognized under section 52 shall be the constituent recognized institutions of the University.

(3) The relations of the constituent colleges and constituent recognized institutions with the University shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the degree colleges and constituent recognized institutions :—

(i) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and institutions and the conditions of their service ;

(*ii*) to approve the appointment of the teachers made by such colleges and institutions ;

(*iii*) to require each such college and institution to contribute a prescribed quota of recognized teachers in any subject for teaching on behalf of the University ;

(*iv*) to co-ordinate and regulate the facilities provided by such colleges and institutions in regard to libraries, laboratories and other equipments for teaching and research ;

(*v*) to levy contributions for providing certain facilities from such colleges and institutions and make grants to them ; and

(*vi*) to require satisfactory arrangements for tutorial and similar other work in such colleges and institutions and to inspect such arrangements from time to time.

Teaching within the University area.

57. (*1*) Within the University Area, all post-graduate instruction, teaching and research shall be controlled, regulated, and co-ordinated by the University and shall be conducted by the University or by constituent colleges or recognized institutions and shall be imparted by the teachers of the University.

(*2*) The University shall control and regulate instruction, teaching and training in colleges beyond the stage of the intermediate examinations and shall progressively take substantial steps for co-ordinating such instruction, teaching and training by making available in common facilities provided by colleges in connection with lectures, seminars tutorials, libraries, laboratories and other equipments for teaching and research.

CHAPTER X.

GENERAL.

Election to be by the system of proportional representation.

58. Every election to any authority of the University made under this Act shall be made by the system of proportional representation by means of the single transferable vote by ballot in such manner as may be prescribed by Statutes :

Provided that no vote shall be recorded by post or by proxy.

Casual vacancies.

59. When any vacancy occurs in the office of a Fellow or member of any authority of the University before the expiry of the term of office of such Fellow or member, the vacancy shall be filled up as soon as conveniently may be by the election, nomination or appointment, as the case may be, of a Fellow or member who shall hold office so long only as the Fellow or member in whose place he has been elected, nominated or appointed would have held it, if the vacancy had not occurred :

Provided that, notwithstanding anything contained in section 16, if the vacancy be of a Fellow and occurs within six months preceding the date on which the term of office of the Fellow expires, the vacancy shall not be filled, if the Fellow be an elected Fellow.

Proceeding not invalidated by vacancy.

60. No act or proceeding of any authority or other body of the University shall be invalid by reason only of any vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election or appointment of any *defacto* member of the body whether present or absent.

Pension or provident fund.

61. The University shall establish for the benefit of its officers, teachers and other servants such pension or provident fund or both as it may deem fit in such manner and subject to such conditions as may be prescribed by the Senate by Statutes.

Interpretation in case of doubt.

62. If any question arises regarding the interpretation of any provisions of this Act or of any Statute, Ordinance or Regulation, or as to whether, any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University the matter may be referred to the Chancellor, and shall be so referred if ten Fellows so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.

Removal of difficulties.

63. If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, the State Government as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

Repeal.

64. The Bombay University Act, 1928 (hereinafter called "the said Act") is hereby repealed. Bom. IV of 1928.

Saving.

65. Notwithstanding the repeal of the said Act—

(*i*) any person holding office immediately before the commencement of this Act as Vice-Chancellor shall on such commencement, be the Vice-Chancellor of the University and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act, until a new Vice-Chancellor is appointed under this Act;

(*ii*) (*a*) the Fellows of the Senate, the members of the Syndicate, the Academic Council, the Boards of Studies and all other bodies and committees of the University constituted under the said Act and immediately in office before the commencement of this Act shall be deemed to be respectively the Fellows of the Senate, the members of the Syndicate, the Academic Council, the Boards of Studies and the bodies and committees of the University constituted under the relevant provisions of this Act and shall, until the date on which the Chancellor declares that the Senate has been duly constituted under this Act, exercise all powers and perform all duties conferred on the authorities, bodies and committees under the said provisions, such date being not later than [1][fifteen months] from the date on which this Act comes into force;

(*b*) if any vacancy occurs otherwise than by efflux of time in the office of a Fellow or a member of any of the bodies or committees referred to in this clause, it shall not be necessary to fill in the same:

Provided that the Chancellor may, after consultation with the Vice-Chancellor, nominate any person to fill in any such vacancy:

Provided further that the omission to fill in any such vacancy shall not invalidate any act or decision of any such body or committee by reason only of the omission to fill in the said vacancy;

[1] These words were substituted for the words "one year" by Bom. 2 of 1954, s. (3) (*a*).

(*iii*) all colleges affiliated, institutions recognized and all high schools registered under the said Act and entitled to the privileges of the University under the said Act immediately before the commencement of this Act shall be deemed to be affiliated, recognized or registered, as the case may be, and admitted to the privileges of the University under this Act, save in so far as such privileges shall be withdrawn, restricted or modified by or under the provisions of this Act;

[1][(*iv*) all graduates registered before the commencement of this Act shall, unless they are disqualified under clause (*a*), (*b*) or (*c*) of sub-section (*2*) of section 17, be deemed to be registered under this Act:

Provided that if any such graduate is a registered graduate of any other university established by law in the State of Bombay before the commencement of this Act he shall cease to be a registered graduate unless he has made the election by intimating to the Registrar as required by the proviso to the said sub-section (*2*) of section 17;]

(*v*) all property, movable or immovable and all rights, interests of whatever kind, powers and privileges of the University constituted under the said Act shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is constituted;

(*vi*) all benefactions accepted or received by the University constituted under the said Act shall be deemed to have been accepted or received by the University under this Act and all the conditions on which such benefactions were accepted or received shall be deemed to be valid under this Act, notwithstanding that such conditions are inconsistent with the provisions of this Act;

(*vii*) all debts, liabilities and obligations incurred before the commencement of the said Act and lawfully subsisting against the University constituted under the said Act shall be discharged and satisfied by the University;

(*viii*) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, terms or trust in favour of the University constituted under the said Act shall, on the commencement of this Act, be construed as if the University constituted under this Act is named therein instead of the University constituted under the said Act;

(*ix*) all references in any enactment or other instruments issued under an enactment to the University constituted under the said Act shall be construed as references to the University;

(*x*) the appointments of the Registrar and all other officers and servants of the University constituted under the said Act and validly made under the said Act and subsisting immediately before the commencement of this Act shall be deemed to have been made under and for the

[1] This clause was substitued for the original by Bom. 2 of 1954, s. 3(*b*).

purposes of this Act and the Registrar and such officers and servants shall continue to hold office and to act, subject to the conditions governing the terms of their office or employment except in so far as such conditions may be altered by competent authority;

(*xi*) the appointments of all the examiners validly made under the said Act and subsisting immediately before the commencement of this Act shall be deemed to have been made under and for the purposes of this Act and such examiners shall continue to hold office and to act until fresh appointments are made under the provisions of this Act;

(*xii*) all Statutes, Ordinances and Regulations, all notices and orders made or issued under the said Act shall, so far as such Statutes, Ordinances and Regulations are not inconsistent with the provisions of this Act shall continue in force and be deemed to have been made under the provisions of this Act until they are superseded or modified by Statutes, Ordinances Regulations, notices and orders made by or under the provisions of this Act.

Transfer of certain benefactions from University to Secondary School Certificate Examination Board.

66. (*1*) Notwithstanding anything contained in this Act or any other law or any instrument, order or decree of a Court, the benefactions specified in the Schedule intended for awarding any scholarship, prize or medal or any other reward on the result of the Matriculation Examination of the University of Bombay are hereby transferred to the Secondary School Certificate Examination Board and shall hereafter vest in that Board. If any such benefaction forms part of a composite benefaction providing for awarding scholarships, prizes, or medals or any other rewards on the results of the Matriculation Examination and any other examination of the University of Bombay, the composite benefaction shall be divided for the purpose of transfer in such manner as may be prescribed by Statutes and the part so separated in respect of the Matriculation Examination shall be transferred to the Secondary School Certificate Examination Board.

(*2*) The Board shall, as far as possible, give effect to the conditions governing such benefactions:

Provided that where any such condition requires that the student to whom any scholarship, prize, medal or any other reward is to be awarded should prosecute his studies beyond the stage of the Matriculation Examination at any affiliated or recognized college or institution or at any college or institution affiliated to or recognized by the University of Bombay, it shall be competent to the Board to make the award if such student prosecutes his studies at any University established by law in the State of Bombay (including the University of Bombay), or any college or institution affiliated to or recognized by any such University.

SCHEDULE.

List of Benefactions.

(*See* section 66.)

Serial No.	Name of the benefaction.
1	The Ellis Prize.
2	The Bai Maneckbai Byramjee Jeejeebhoy Prize.
3	The Kutchi Divan Bahadur Manibhai Prize.
4	The Chatfield Prize.

Serial No.	Name of the benefaction.
5	The Professor Shripad Gajanan Acharya Prize.
6	The Jaffer Cassum Moosa Gold Medal.
7	The Ram Ganesh Gadkari Memorial Gold Medal.
8	Miss Padmasena Baboorao Joshi Prize.
9	The Narhar Rowjee Beedker Prize.
10	The Pudumsey Munji Gujarati Scholarship.
11	The Pudumsey Munji Scholarship for Mathematics.
12	The Harishchandra Baboorao Joshi Memorial Scholarship No. 2.
13	The Sagarmal Khaitan Memorial Scholarship.
14	The Jugonnath Sunkersett Sanskrit Scholarships.
15	The Jam Shri Vibhaji Scholarship.
16	The Cowasjee Jehangir Latin Scholarship.
17	The David Sassoon Hebrew Scholarship.
18	The Hebbart and LaTouche Scholarship.
19	The Rao Sir Pragmalji Scholarships.
20	The Sir Jasvantsingji Scholarships.
21	The Sir George LeGrand Jacob Scholarship.
22	The Jairazbhoy Peerbhoy Scholarship.
23	The Sir Frank Souter Scholarship for the Matriculation Examination.
24	The Bhau Saheb Desai Scholarships.
25	The James Greaves Scholarship.
26	The Divan Bahadur Lakshman Jagannath Vaidya Scholarship.
27	Divan Bahadur Manibhai Cutch Memorial (Technical) Scholarship.
28	The Vallabhdas Valji Scholarship.
29	The R. M. Sayani Khoja Testimonial Scholarship.
30	The Dosabhai Framji Cama Scholarship.
31	The Bai Aimai Kharshetji Rustamji Cama Scholarship.
32	The Lord Sandhurst Scholarship.
33	The Uttamram Memorial Scholarship.
34	The Chatfield Scholarship.
35	The Rao Bahadur Karamsi Damji Scholarship.
36	The Abdulla Meheralli Dharamsi Khoja Testimonial Scholarship.
37	The Miss Yamunabai Atmaram Davi Scholarship.
38	The Mrs. Gangubai R. V. Dhamnaskar Scholarship.
39	The Rajaram Govindram Scholarship.
40	The Sir Dinshaw Manockjee Petit (First Baronet) Scholarship.
41	The Mangaldas Harivallabhdas Commerce Scholarship.
42	The George Pope Scholarship.
43	The Sardar Bhimrao Ramrao Akbarnawis Sanskrit Scholarship.
44	The Dr. Dadabhai Naoroji Scholarship.
45	Bai Sitabai R. Naik Scholarship.
46	The Narhar Rowjee Beedker Scholarship.